

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
CHRIS SPEYER

Serial No.: 10/764,777

Confirmation No.: 9740

Filed: January 26, 2004

For: MULTI-STAGE EPI PROCESS FOR
FORMING SEMICONDUCTOR
DEVICES, AND RESULTING DEVICE

Group Art Unit: 2822

Examiner: Michael Manh Trinh

Attorney Docket: 2069.012900/LE0044

Customer No.: 23720

**PETITION TO WITHDRAW NOTICE OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(a)**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant received a Notice of Abandonment for the above-captioned application for allegedly failing to pay the required issue fee and publication fee, indicating that the submitted fee of \$0 was insufficient. On April 7, 2006, Applicant mailed the Fee(s) Transmittal and authorized the Director to deduct the issue fee from Deposit Account No. 50-1591 (our client's deposit account). In addition, in the transmittal letter accompanying the Fee(s) Transmittal, the Director was authorized to deduct the issue fee from our deposit account (No. 50-0786) in the event that there were insufficient funds in our client's deposit account. Copies of the transmittal letter, Fee(s) Transmittal and returned postcard are attached. Therefore, Applicant hereby petitions for a withdrawal of the Notice of Abandonment under 37 C.F.R. § 1.181(a).

It is believed that no fee is due in connection with this petition; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Director is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2069.013400.

The Office is invited to contact the undersigned attorney at (713) 934-4055 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON
CUSTOMER NO. 23720

Date: June 16, 2006

/J. Mike Amerson/

J. Mike Amerson
Reg. No. 35,426
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ATTORNEY FOR APPLICANT

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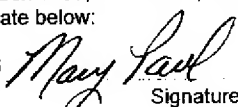
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WRITER'S DIRECT DIAL:
(713) 934-4055

FILE: 2069.012900

April 7, 2006

Mail Stop Issue Fee
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P.O. Box 1450
Alexandria, VA 22313-1450

| CERTIFICATE OF MAILING 37 C.F.R. § 1.8 | |
|---|---|
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below: | |
| April 7, 2006 Date |  Signature |

RE: *U.S. Patent Application Serial No. 10/764,777*
Entitled: "MULTI-STAGE EPI PROCESS FOR FORMING SEMICONDUCTOR DEVICES, AND RESULTING DEVICE"
Inventor(s): Chris Speyer
Client Reference: LE0044

Sir:

Please find enclosed:

1. An Issue Fee Transmittal form; and
2. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

The Director is authorized to deduct the issue fee, and any other fees required under 37 C.F.R. §§ 1.16 to 1.21, from the Legerity Inc. Deposit Account No. 50-1591/LE0044.¹

¹ In the event the monies in that account are insufficient, the Director is authorized to withdraw funds from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2069.012900.

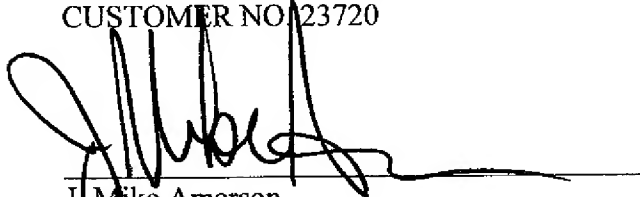
WILLIAMS, MORGAN & AMERSON, P.C.

Mail Stop Issue Fee
April 7, 2006
Page 2

Please date stamp and return the enclosed postcard to evidence receipt of these materials.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.
CUSTOMER NO. 23720

A handwritten signature in black ink, appearing to read "J. Mike Amerson", is written over a horizontal line.

J. Mike Amerson
Reg. No. 35,426
10333 Richmond, Suite 1100
Houston, TX 77042
(713) 934-4055
(713) 934-7011 (facsimile)

ATTORNEY FOR APPLICANTS

JMA/mp

Enclosures

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with

applicable fee(s), to: Mail

Mail Stop ISSU FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

23720 7590 01/26/2006

WILLIAMS, MORGAN & AMERSON
10333 RICHMOND, SUITE 1100
HOUSTON, TX 77042

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

| | |
|------------------|--------------------|
| Mary Paul | (Depositor's name) |
| <i>Mary Paul</i> | (Signature) |
| April 7, 2006 | (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/764,777 | 01/26/2004 | Chris Speyer | 2069.012900 | 9740 |

TITLE OF INVENTION: MULTI-STAGE EPI PROCESS FOR FORMING SEMICONDUCTOR DEVICES, AND RESULTING DEVICE

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1400 | \$300 | \$1700 | 04/26/2006 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|---------------------|----------|----------------|
| TRINH, MICHAEL MANH | 2822 | 438-309000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Williams, Morgan &2 Amerson, P.C.

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE
Legerity Inc.(B) RESIDENCE: (CITY and STATE OR COUNTRY)
Austin, TexasPlease check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
☒ Advance Order - # of Copies 1

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1591/LE0044 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date April 7, 2006

Typed or printed name

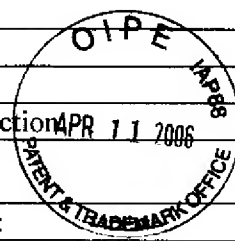
Mike AmersonRegistration No. 35,426

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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IDENTIFICATION OF APPLICATION

| | |
|--|---------------------------------|
| Serial No.: 10/764,777 | |
| Title: MULTI-STAGE EPI PROCESS FOR FORMING SEMICONDUCTOR DEVICES, AND RESULTING DEVICE | |
| Applicant: CHRIS SPEYER | Attorney: JMA |
| Client: LEGERITY | File No.: 2069.012900 |
| Mailed: APRIL 7, 2006 | Filed: Due Date: APRIL 26, 2006 |